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REMARKS

In response to the Office Action dated February 1, 2008, the Assignee respectfully requests reconsideration based on the above amendments and on the following remarks.

Claims 1-20 are pending in this application.

Rejection of Claims Under § 102 (e)

The Office rejects claims 1-8 under 35 U.S.C. § 102 (e) as being anticipated by U.S. Patent Application Publication 2003/0093790 to Logan, *et al.* A claim, however, is anticipated only if each and every element is found in a single prior art reference. *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q. 2d (BNA) 1051, 1053 (Fed. Cir. 1987). *See also* DEPARTMENT OF COMMERCE, MANUAL OF PATENT EXAMINING PROCEDURE, § 2131 (orig. 8th Edition) (hereinafter "M.P.E.P.").

Claims 1-8, though, cannot be anticipated by *Logan*. These claims recite, or incorporate, many features that are not disclosed or suggested by *Logan*. Independent claim 1, for example, recites "*determining a subcontracted processing service is required from a different service provider*" and "*grouping together individual packets of data that require the subcontracted processing service as a new segment.*" Independent claim 1 also recites "*subcontracting the new segment to the different service provider to receive the subcontracted processing service*" and "*receiving a subcontracted result of the subcontracted processing service.*" Support for such features may be found at least at paragraphs [0025] through [0027] of United States Application No. 10/720,587 (Attorney Docket 030353), which is incorporated by reference. Subcontracting of processing services is also supported by paragraphs [0023] and [0024] of United States Application No. 10/720,941 (Attorney Docket 030006), which is also incorporated by reference. For the Examiner's convenience, independent claim 1 is reproduced below.

[c01]   A method, comprising:

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> receiving a first data stream at a computer, the first data stream comprising packets of data packetized according to a packet protocol;
>
> recursively segmenting the first data stream into segments, such that a characteristic of a preceding segment determines how a current segment is segmented;
>
> recognizing a repetitive segment and inserting a data compression result of a preceding segment to reduce processing of redundant segments;
>
> dispersing at least one of the segments via a network for a subsequent processing service;
>
> determining a subcontracted processing service is required from a different service provider;
>
> grouping together individual packets of data that require the subcontracted processing service as a new segment;
>
> subcontracting the new segment to the different service provider to receive the subcontracted processing service;
>
> receiving a subcontracted result of the subcontracted processing service;
>
> receiving a result of the processing service;
>
> aggregating the result of the processing service and the subcontracted result into a second data stream; and
>
> communicating the second data stream via the network.

Logan cannot anticipate these features. Logan segments broadcast programming and uses demographics and preferences to select segments that match the needs of users. See U.S. Patent Application Publication 2003/0093790 to Logan, et al. at paragraphs [0043], [0045], and [0047]. Even so, Logan completely fails to teach or suggest "determining a subcontracted processing service is required from a different service provider" and "grouping together individual packets of data that require the subcontracted processing service as a new segment." The published application to Logan, et al. also fails to teach or suggest "subcontracting the new segment to the different service provider to receive the subcontracted processing service" and "receiving a subcontracted result of the subcontracted processing service." The published application to Logan, et al., quite simply, fails to contemplate subcontracting of processing services to a different service provider. Logan, then, cannot anticipate independent claim 1.

Claims 1-8, then, cannot be anticipated by Logan. Independent claim 1 recites many features that are not disclosed or suggested by Logan. Dependent claims 2-8 incorporate these

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same features and recite additional features. Claims 1-8, then, cannot be anticipated, so the Office is respectfully requested to remove the § 102 (e) rejection of these claims.

Rejection of Claims under § 103 (a)

Claims 9-20 were rejected under 35 U.S.C. § 103 (a) as being obvious over *Logan* in view of U.S. Patent 6,285,871 to Daniels.

Claims 9-20, however, cannot be obvious over *Logan* and *Daniels*. These claims recite, or incorporate, features that are not taught or suggested by the combined teaching of *Logan* and *Daniels*. Independent claim 9, for example, recites "*linearly predicting that the user can be trusted to pay for the requested communications service, even though the total bill is undetermined, based on the historical payment information, the historical usage information, and the credit information*" (emphasis added). Support for such features may be found at least at paragraph [0030] of United States Application No. 10/720,892 (Attorney Docket 030356), which is incorporated by reference. Independent claim 9 also recites "*determining a subcontracted processing service is required from a different service provider*" and "*grouping together individual packets of data as a new segment, each of the individual packets in the new segment requiring the subcontracted processing service.*" Independent claim 9 also recites "*subcontracting the new segment to the different service provider to receive the subcontracted processing service.*" Support for such features may be found at least at paragraphs [0025] through [0027] of United States Application No. 10/720,587 (Attorney Docket 030353), which is incorporated by reference. Subcontracting of processing services is also supported by paragraphs [0023] and [0024] of United States Application No. 10/720,941 (Attorney Docket 030006), which is also incorporated by reference. For the Examiner's convenience, independent claim 9 is reproduced below, and independent claims 19 and 20 recite similar features.

[c09]   A method of providing communications services, comprising:

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receiving a request for communications service, the request for communications service originating from a user's client device, the request for communications service communicating via a communications network to a service provider;

querying a payment history database for historical payment information relating to the user's history of payments to creditors;

querying a usage history database for historical usage information relating to the user's past usage of communications services;

querying a credit database for credit information relating to a line of credit with a credit card issuer;

linearly predicting that the user can be trusted to pay for the requested communications service, even though the total bill is undetermined, based on the historical payment information, the historical usage information, and the credit information;

receiving data at a computer, the data received as packets of data packetized according to a packet protocol;

recursively segmenting the packets of data into segments according to a segmentation profile stored in memory, the segmentation profile storing rules that define actions when a similar characteristic between segments is encountered, such that a characteristic of a preceding segment determines how a current segment is segmented;

recognizing a repetitive segment and inserting a data compression result of a preceding segment to reduce processing of redundant segments;

determining a subcontracted processing service is required from a different service provider;

grouping together individual packets of data as a new segment, each of the individual packets in the new segment requiring the subcontracted processing service;

dispersing at least one of the segments via a network for a subsequent processing service;

subcontracting the new segment to the different service provider to receive the subcontracted processing service;

receiving results of the subsequent processing service;

receiving a result of the subcontracted processing service;

assembling a data stream comprising i) the results of the subsequent processing service, ii) an unprocessed recursively segmented segment, and iii) the results of the subcontracted processing service; and

communicating the assembled data stream via the network to fulfill the requested communications service.
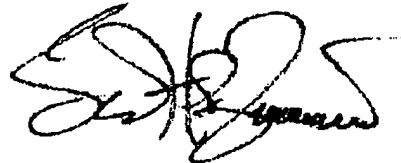
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The combined teaching of *Logan* and *Daniels* does not obviate all these features. As the above paragraphs already explained, *Logan* completely fails to discuss or even contemplate linear prediction and subcontracting of services to a different service provider.

Daniels does not cure these deficiencies. *Daniels* permits credit worthy customers to incur roaming charges in a cellular network. Those with bad credit histories, however, may be prevented from roaming.

Still, though, *Logan* and *Daniels* cannot obviate claims 9-20. The proposed combination of *Logan* and *Daniels* remains silent to all the features of independent claims 9, 19, and 20. That is, *Logan* and *Daniels* fails to teach or suggest "*linearly predicting that the user can be trusted to pay for the requested communications service, even though the total bill is undetermined, based on the historical payment information, the historical usage information, and the credit information.*" The proposed combination of *Logan* and *Daniels* also fails to teach or suggest "*subcontracting the new segment to the different service provider to receive the subcontracted processing service.*" Dependent claims 10-18 incorporate these same distinguishing features and recite additional features. One of ordinary skill in the art, then, would not think that claims 9-20 are obvious. The Office is thus respectfully requested to remove the § 103 (a) rejection of these claims.

If any issues remain outstanding, the Office is requested to contact the undersigned at (919) 469-2629 or *scott@scottzimmerman.com*.

Respectfully submitted,

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